

**THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF OKLAHOMA**

**BRIAN KELLY CASH,**

**Petitioner,**

**v.**

**THE UNITED STATES OF AMERICA,**

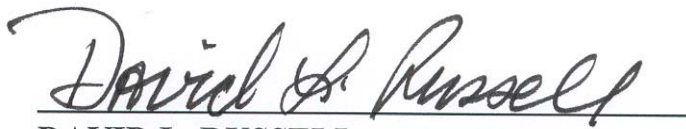
**Respondent.**

**No. CIV-20-884-R**

**ORDER**

Petitioner filed this action pursuant to 28 U.S.C. § 2254, seeking a writ of habeas corpus. Pursuant to 28 U.S.C. § 636(b) the matter was referred to United States Magistrate Judge Shon T. Erwin for preliminary review. On January 20, 2021, Judge Erwin issued a Report and Recommendation wherein he recommended that the Respondent's Motion to Dismiss be granted because Petitioner has not exhausted his state court remedies. (Doc. No. 15). The record reflects that Petitioner has not objected to the Report and Recommendation within the time limits prescribed therein, nor has he sought an extension of time in which to object. Accordingly, the Report and Recommendation is ADOPTED, Respondent's Motion to Dismiss is GRANTED and the Petition is DISMISSED.

**IT IS SO ORDERED** this 19th day of February 2021.

  
**DAVID L. RUSSELL**  
**UNITED STATES DISTRICT JUDGE**